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FILED: 10/26/18

IN THE UNITED STATES DISTRICT COURT

2018 OCT 26 PM 4:54

FOR THE SOUTHERN DISTRICT OF NEW YORK

S.D. OF N.Y.

JURISDICTION

D. GEORGE SWEIGERT,

Case No.: 1:18-cv-08653-UA

Plaintiff,

vs.

MOTION FOR RULING TO SHOW CAUSE FOR
DEFENDANT'S CONDUCT OF PROVIDING FALSE
ADDRESS AND PERSISTENT EFFORTS TO AVOID
SERVICE

JASON GOODMAN,

Defendant

**MOTION FOR RULING TO SHOW CAUSE FOR DEFENDANT'S CONDUCT OF PROVIDING FALSE
ADDRESS AND PERSISTENT EFFORTS TO AVOID SERVICE**

Comes now Defendant Counterclaimant Jason Goodman, Pro Se, presenting a motion to show cause and provide an explanation as to why the Plaintiff has changed his address two times during the course of this legal action, utilizing a total of three separate mailing addresses including the most current in a state outside his state of residence.

Plaintiff counter defendant's current address as recorded by the court appears to be a fraudulent address, not owned by the Plaintiff counter defendant according to officials of the U.S. Postal Service working in the Post Office in Zip code 85201 where P.O. Boxes with the zip code 85211 are maintained.

STATEMENTS OF FACT

Plaintiff Sweigert initially filed this matter with the court in South Carolina on June 14, 2018. At that time, the official address registered with the court for Plaintiff counter defendant was D. George Sweigert, C/O 336 Bon Air Center #241 Greenbrae, CA 94904. On August 6, 2018, Plaintiff Sweigert filed a Notice of Change of Address with the court, making his new address D. George Sweigert c/o General Delivery Mount Shasta, CA 96067. Then on September 28, 2018, Plaintiff Sweigert changed his address once again to D. George Sweigert, C/O P.O. Box 152 Mesa AZ 85211. Sweigert has continued his ongoing activity of harassing Defendant Counterclaimant Goodman with almost daily, and sometimes more frequent, social media posts including taunting, harassing and defamatory YouTube videos. In those videos, Plaintiff has made numerous references to his residence in Mount Shasta CA.

Despite the recent change of address filing with the court, the surroundings observed in Sweigert's daily videos
MOTION FOR RULING TO SHOW CAUSE FOR DEFENDANT'S CONDUCT OF PROVIDING FALSE
ADDRESS AND PERSISTENT EFFORTS TO AVOID SERVICE - 1

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1 match previous videos, strongly suggesting that Plaintiff counter defendant Sweigert continues to reside in Mount
2 Shasta CA. Upon serving Plaintiff Sweigert with the Answer to his Amended Complaint, the pleading has been
3 returned to sender. The U.S. Postal Service label attached to the returned envelope specifically said, "RETURN TO
4 SENDER ATTEMPTED – NOT KNOWN UNABLE TO FORWARD". Photographs of the returned item are
5 attached to this pleading (EXHIBIT A). Further investigation has revealed Plaintiff Sweigert is NOT the owner of
6 P.O. Box 152 in Mesa AZ 85211. An October 26, 2018 a phone call was placed by Defendant counterclaimant
7 Goodman to the Mesa AZ post office which services zip code 85211 during which a U.S. Postal worker confirmed
8 this. That phone call has been recorded and preserved as evidence and is available to the court upon request. A
9 transcript of a portion of that call is attached to this pleading (EXHIBIT B).

10 In an effort to move this action forward swiftly, Defendant Counterclaimant Goodman has also attempted to serve
11 Plaintiff Counterdefendant Sweigert via electronic mail. Due to the duplicitous nature of Sweigert's ongoing
12 actions, and continuous harassment and false statements with regard to this civil action and other matters pertaining to
13 defendant counterclaimant Goodman, the Answer to the Amended Complaint was presented as PDF document
14 which included password protection to prevent editing of its content. This is a standard function of PDF documents
15 and is only apparent if and when editing of the document is attempted or perhaps through some other forensic
16 examination of the document, above and beyond reading its content. On October 19, 2018, Plaintiff counter
17 defendant filed a Memorandum of Points and Authorities in Support of Plaintiff's Motion to Strike Defendant's
18 Answer or Otherwise Make Moot Pursuant to FRCP Rule 12 (F) in which Sweigert uses commercial antivirus and
19 malware detection websites or other software to insinuate some malintent on the part of defendant counterclaimant
20 Goodman, or to suggest inclusion of malicious software that should in Sweigert's opinion obviate the ability of
21 Defendant Counterclaimant to serve Sweigert electronically. The deceptive nature of Sweigert's actions are
22 underscored by his use of a false mailing address and aggressive, overt attempts to avoid service, prolong this
23 process, abuse the legal system and deliberately waste the court's time as well as that of the defendant.

24 25 CONCLUSION

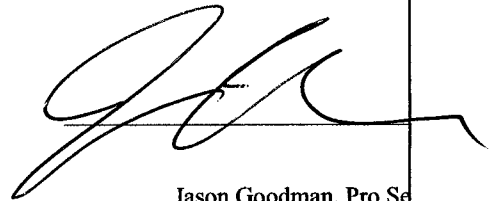
26 Wherefore, Defendant/Counter-Claimant prays that this Court will issue an order requiring Plaintiff/Counter-
27 defendant Sweigert to appear and show cause as to his conduct of changing addresses and submitting a false address
28 MOTION FOR RULING TO SHOW CAUSE FOR DEFENDANT'S CONDUCT OF PROVIDING FALSE
ADDRESS AND PERSISTENT EFFORTS TO AVOID SERVICE - 2

1 in the record of these proceedings and to issue an appropriate sanction against Plaintiff/Counter-defendant Sweigert
2 for his fraud upon this court

3
4 **JURY DEMAND**

5 Defendant demands trial by jury on all issues so triable.

6
7 Respectfully submitted



Jason Goodman, Pro Se
252 7th Avenue Apt 68
New York, NY 10001
truth@crowdsourcethetruth.org

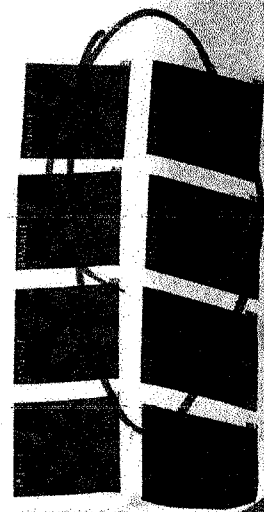
Jason G. ...
252 7th Avenue #603
New York, NY 10001

||
831 SE 1 0110/22/18
NIXIE
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
RC: 1000173489 21044295014-00979

PNK

|||||

AMK



Jason Goodman
252 7th Avenue #6S
New York, NY 10001

1 D. GEORGE SWEIGERT, C/O
2 P.O. BOX 152
3 MESA, AZ 85211

MIXED 85A SE 1 0118/22/28
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
RC: 1000173468 210AN203074-00079

PRK

1 D. GEORGE SWEIGERT, C/O
2 P.O. BOX 152
3 MESA, AZ 85211

MIXIE

851 SE 1

0110/22/18

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 10001733489

2104N295074-00979



4

EXHIBIT B

TRANSCRIPT OF PHONE CALL WITH MESA ARIZONA POST OFFICE 85201

October 26, 2018

Goodman - Hi, Have I reach the post office in Mesa Arizona?

Postal Worker - Yes

Goodman - Ok, so um I've got an issue with some returned mail I wanted to ask you about. I'm being sued by an individual named David George Sweigert. Sweigert has changed his address in the course of the civil suit about, well not about exactly three times he's had three separate addresses in the course of the civil suit so I've answered his ridiculous lawsuit and I've sent my answer in addition to the court as I'm obligated to, I've sent it to him to the address that he has registered with the Court which is PO Box 152 Mesa Arizona 85211 now I understand your office is located in 85201 is that correct?

Postal Worker - that's correct but our box section is 85211

Goodman - okay. So is there a PO... why, why, Can you give me any additional information as to why this letter would have been returned to me? as Return to Sender attempted not known unable to forward is there a box 152 at your post office and is it possessed by David George Sweigert?

Postal Worker - Give me one second let me check that for you

Goodman - Thank you

Ok sir?

Goodman - Yes

Postal Worker - Ya, I do... uh PO BOX 152 is here but it is not owned by David Sweigert

Goodman - Interesting. So if it says on this letter David George Sweigert care of PO Box 152 Mesa Arizona 85211 is that a legitimate way to address it and whoever holds that box...

Postal Worker - Ummm, No it would have to be in care of and the name of whoever holds the box

Goodman - Can you tell me is it Manuel Chavez the third is that the individual that holds that box 152

Postal Worker - No

Goodman - Are you able to tell me?

Postal Worker - I can't tell you who it is, but I can tell you it is not Sweigert